GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Prisons Department - Death of C.T. Prisoner No:48 Uppada Gowri Shankar @Shankar S/o Ramabangaraiah on 30.07.2024 – **Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa** and (6) others - Exhibited misconduct and gross negligence - Initiation of Departmental Proceedings under **Rule 20 A.P. Civil Services (CC&A) Rules 1991 read with rule 24 of APCS (CC&A) Rules, 1991 – Articles of charges – Issued**.

Home (Prisons & Fire) Department

G.O.RT.No. 174 Dated: 28-01-2025
Read:

From the Director General of Prisons and Correctional Services, Andhra Pradesh, Mangalagiri vide Lr. No. Estt-2/442/2024, Dt: 26.11.2024.

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ORDER:

Whereas, it is proposed to hold an inquiry against **Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa**and (6) others in accordance with procedure laid down under **Rule 20 A.P. Civil Services (CC&A) Rules 1991 read with rule 24 of APCS (CC&A) Rules, 1991**for exhibiting misconduct and gross negligence by swiftly shifting the prisoner on the very next day, which resulted in the death of CT. Prisoner No:48Uppada Gowri Shankar @Shankar S/o Ramabangaraiah, by hanging himself on 30.07.2024 at Central Prison, Visakhapatnam.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure. II and III).

3. **Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa** is hereby directed to submit a written statement of his defense within (10) days from the date of receipt of this memo and also to state whether he desires to be heard in person.

4. **Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa** is informed that an enquiry will be held only in respect of -those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. **Sri S.Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa**is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, or otherwise fails to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991, or the orders/directions issued in pursuance of the said rules, further action will be processed based on the material available.

P.T.O

6. Attention of **Sri S. Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam working on attachment at Central Prison, Kadapa** is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation received on his behalf from another person in respect of any matter dealt with in these Proceedings it will be presumed that he is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the memorandum shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S. Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam
Working on attachment at Central Prison, Kadapa through
the Director General of Prisons and Correctional Services,
Andhra Pradesh, Managalagiri.

Copy to:
The Director General of Prisons and Correctional Services,
Andhra Pradesh, Managalagiri
with a request to serve this memo on the Charged officer under proper acknowledgement.

//FORWARDED:: BY ORDER//

SECTION OFFICER

Annexure I

(G.O.Rt.No.174, Home (Prisons & Fire) Department, Dated: 28.01.2025)

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINSTSRI S. KAMALAKAR, DEPUTY SUPERINTENDENT, CENTRAL PRISON, VISAKHAPATNAM WORKING ON ATTACHMENT AT CENTRAL PRISON, KADAPA

Article of Charge –

"That the said Sri S. Kamalakar, Deputy Superintendent, Central Prison, Visakhapatnam, presently working on attachment at Central Prison, Kadapa, exhibited misconduct and gross negligence by swiftly shifting a prisoner on the very next day following his admission into Central Prison, Visakhapatnam, in violation of established procedures which resulted in the suicide attempt of convict prisoner CT No. 48, Uppada Gowri Shankar S/o Rambangaraiah, in the Godavari Barrack of Central Prison, Visakhapatnam, on 30-7-2024 also led to death of the prisoner. This amounts to violation of Rule No. 245 of the A.P. Prisons Rules, 1979, and Rule No: 3 of the A.P.C.S. Conduct Rules, 1964.

Basis of Charge:

One Convict Prisoner No. 48 Uppada Gowri Shankar @ Sankar, S/o Rambangaraiah was convicted and sentenced to R.I. for (20) years and to pay a fine of Rs. 10,000/- i/d SI for three months U/s 3(a) r/w 4 of POCSO ACT in SC No. 151/2020 on the file of Hon'ble Special Judge, Pocso Court, Visakhapatnam on 25-07-2024 and admitted in Central Prison, Visakhapatnam on the same day. This prisoner was shifted from Quarantine Block to Godavari Barrack on 26-07-2024.

In the above incident the following lapses are observed**.**

1. Rule 245 of Andhra Pradesh Prisons Rules, 1979, stipulates that every newly admitted prisoner shall be subjected to such period of quarantine as the Superintendent, on the advice of the Medical Officer, shall direct. In this case, it is observed that the Charged Officer has approved the swift transfer of the Convict Prisoner No. 48 Uppada Gowri Shankar from the quarantine block to the Godavari Block on the very next day of his admission, without obtaining the advice of the Medical Officer. The purpose of retaining prisoners for a considerable period in the quarantine block before transferring them to regular barracks is primarily to ensure the health, safety, and security of both the prisoner and the overall prison population. It also functions as a security measure, giving authorities the opportunity to evaluate the behavior of the new prisoner to ensure they do not pose a threat to themselves or others. Furthermore, the quarantine provides acclimatization to the prison environment and an adjustment period for prisoners to familiarize themselves with their surroundings, which can reduce anxiety or distress in the early days of imprisonment. This process can also lower the chances of suicides among prisoners by identifying those who may need additional support.

P.T.O

2. As per **Memo No.B1 / 119 / 77, Dated. 23-02-1977**of the DG Prisons, AP, the Deputy Superintendent of Jails look after allotment of duties of subordinate staff. The office of DG Prisons, AP vide **Memo No.EA4/1364/2002, Dated.31-08-2002** and the Range Office, Coastal Andhra Range vide **Memo No.DIG(CAR)/AO/575/2023, Dated. 13-04-2023** issued clear instructions to adopt "2-Shift System" of guarding instead of "3-Shift System" of guarding in institutions where there is shortage of guarding staff. In spite of the issued instructions and knowing pretty well of the shortage of guarding staff and the prisoner overcrowding in Central Prison, Visakhapatnam, the charged officer being the Deputy Superintendent of Jails,being pretty well aware of the overcrowding in the prison and shortage of guarding staff, must have suggested the Superintendent of Prisons to adopt 2-Shift System of Guarding instead of the already existing 3-Shift System of Guarding. Had 2-Shift System of guarding been followed in Central Prison, Visakhapatnam, there would have been a greater number of guarding staff members in the Central Prison and the prisoner movements could have been effectively monitored and this could have prevented the suicide attempt by the convict prisoner. The failure in assessing the guarding staff requirement in an overcrowded Central Prison and deliberate disobedience to Head Office and Range Office instructions have resulted in the convict prisoner attempting suicide and thereafter dying. This is clearly a failure on part of the charged officer and shows his inefficiency in managing a prison institution.

3. Thus he has violated Rule No. 245 of A.P. Prison Rules, 1979 and Rule No: 3 of A.P.C.S. Conduct Rules, 1964.

   Hence, the **CHARGE.**

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE II

(G.O.Rt.No.174, Home (Prisons & Fire) Department, Dated: 28.01.2025)

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI S. KAMALAKAR, DEPUTY SUPERINTENDENT OF JAILS, CENTRAL PRISON, VISAKHAPATNAM WORKING ON ATTACHMENT AT CENTRAL PRISON, KADAPA ARE PROPOSED TO BE SUSTAINED

1. Statement of Sri R. Chinna Rao, Jailor, Central Prison, Visakhapatnam
2. Statement of Sri Y.Simhachalam Naidu, Deputy Jailor, Central Prison, Visakhapatnam
3. Statement of Sri L.V.S. Naidu, Deputy Jailor, Central Prison, Visakhapatnam
4. Statement of Sri D.V. Ramana Murthy, Head Warder, Sub-Jail, Managalaigri working on attachment at Central Prison, Visakhapatnam
5. Nominal Roll of CT No.48 Uppada Gowri Shankar @ Shankar S/o Rama Bangaraiah
6. Convict Prisoner Disposal Register Dt. 26-07-2024
7. Statement of Sri Vanapalli Vasudeva Rao, Warder, Central Prison, Visakhapatnam
8. Memo No.B1 / 119 / 77, Dated. 23-02-1977 of office of the DG Prisons, AP
9. Memo No.EA4/1364/2002, Dated.31-08-2002 of office of the DG Prisons, AP
10. Memo No.DIG(CAR)/AO/575/2023, Dated. 13-04-2023 of Range Office, Coastal Andhra Range.
11. Inquest report, dated 31.07.2024 on the deceased prisoner, CT No. 48, Uppada Gowri Shankar S/o Rambangaraiah

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-III

(G.O.Rt.No.174, Home (Prisons & Fire) Department, Dated: 28.01.2025)

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI S. KAMALAKAR, DEPUTY SUPERINTENDENT, CENTRAL PRISON, VISAKHAPATNAM WORKING ON ATTACHMENT AT CENTRAL PRISON, KADAPAARE PROPOSED TO BE SUSTAINED:

1. Sri R. Chinna Rao, Jailor, Central Prison, Visakhapatnam
2. Sri Y.Simhachalam Naidu, Deputy Jailor, Central Prison, Visakhapatnam
3. Sri L.V.S. Naidu, Deputy Jailor, Central Prison, Visakhapatnam
4. Sri D.V. Ramana Murthy, Head Warder, Sub-Jail, Managalaigri working on attachment at Central Prison, Visakhapatnam
5. Sri Vanapalli Vasudeva Rao, Warder, Central Prison, Visakhapatnam
6. Sri P.Kusha Kumar, Jailor, Central Prison, Visakhapatnam.

KUMAR VISHWAJEET
PRINCIPAL SECRETARY TO GOVERNMENT